

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

FINAL MEETING MINUTES

Wednesday, September 20, 2000

9:30 a.m. – 3:45 p.m.

**Cabrillo High School Aquarium
4350 Constellation Road • Lompoc, CA**

In Attendance:

GOVERNMENT REPRESENTATIVES:

NATIONAL PARK SERVICE

Alternate Gary Davis

US COAST GUARD

Member Lt. Yuri Graves

MINERALS MANAGEMENT SERVICE

Member Drew Mayerson

US NAVY

Alternate Ron Dow

CA DEP'T. OF FISH & GAME

Alternate LT. Jorge Gross

CALIFORNIA RESOURCES AGENCY

Member Brian Baird

CALIFORNIA COASTAL COMMISSION

Member Gary Timm

COUNTY OF SANTA BARBARA

Alternate Jackie Campbell

COUNTY OF VENTURA

Alternate Jack Peveler

NON-VOTING MEMBERS:

**CHANNEL ISLANDS NATIONAL MARINE
SANCTUARY**

LCDR Matthew Pickett, Manager

COMMUNITY REPRESENTATIVES:

BUSINESS

Alternate Dr. Dan Secord

RECREATION

Member Jim Brye

CONSERVATION

Member Linda Krop

Alternate Greg Helms

EDUCATION

Member Dave Long

Alternate Larry Manson

PUBLIC AT-LARGE

Member Jon Clark

PUBLIC AT-LARGE

Member Marla Daily

Alternate Robert Duncan

PUBLIC AT-LARGE

Member Craig Fusaro, Ph.D.

Not in attendance:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey
Alternate Christina Fahy

NATIONAL PARK SERVICE

Member Jim Shevock

MINERALS MANAGEMENT SERVICE

Alternate Fred Piltz, Ph.D.

US NAVY

Member Alex Stone

CA DEP'T. OF FISH & GAME

Member Patricia Wolf

CALIFORNIA RESOURCES AGENCY

Alternate Melissa Miller-Henson

CALIFORNIA COASTAL COMMISSION

Alternate Jack Ainsworth

COUNTY OF VENTURA

Member Lyn Krieger

COUNTY OF SANTA BARBARA

Member Dianne Meester

COMMUNITY REPRESENTATIVES:

TOURISM

Alternate Alex Brodie
Member Michael Finucan

BUSINESS

Member Rudy Scott

RECREATION

Alternate Bill Kendig

FISHING

Member Bruce Steele
Alternate Chris Williams

RESEARCH

Member Leal Mertes, Ph.D.
Alternate Matthew Cahn, Ph.D.

PUBLIC AT-LARGE

Alternate Barry Schuyler

PUBLIC AT-LARGE

Alternate Roberta Cordero

NON-VOTING MEMBERS:

**MONTEREY BAY NATIONAL MARINE
SANCTUARY**

William Douros, Superintendent

**GULF OF THE FARALLONES/CORDELL
BANKS NATIONAL MARINE SANCTUARIES**

Ed Ueber, Manager

1. Administrative Items and Announcements

A. Roll Call

At the calling of the roll, 15 voting members were present. One additional seat was represented by late arrivals. Total SAC attendance for the day was 20 representatives (10 voting members, 9 alternates, 1 non-voting representative).

B. Introductory Remarks

SAC Chair Craig Fusaro opened the meeting by welcoming attendees and thanking Dave Long for inviting the SAC to visit the new Cabrillo High School Aquarium.

Dave Long welcomed the SAC to the Cabrillo High School Aquarium, and introduced student staff member Tamera Chadwick. Tamera thanked the SAC coming to the Aquarium, and stated

that the Aquarium's students and staff will continue to help make residents aware of the National Park and National Marine Sanctuary.

Dave explained that later in the day students from a class called "Tourism: School to Career" would be attending the meeting to ask questions of the SAC, and would also be involved in providing a tour of both the new and previous Aquarium sites.

Dave also introduced Tristin Harvey, a student staff member of the Aquarium.

B. Meeting Minutes

The August 16 draft meeting notes were distributed to the SAC at the meeting. Mike Murray explained that a technical problem rendered useless the audio tapes from the August 16 meeting, and so meeting note, as opposed to minutes, had been produced. Craig Fusaro suggested that Council members should get comments on the draft meeting notes to Mike Murray by September 29, after which they will be posted on the web site.

2. Manager's Report

Management Plan Revision Process

Sanctuary Manager Matt Pickett reported that at recent staff meetings, staff had worked to reach agreements on guidance for selecting a preferred alternative for the management plan DEIS. He also reported that Management Plan Specialist Anne Walton was currently at the NMSP headquarters office meeting with Marine Sanctuaries Division staff and NOS General Counsel representatives to work on narrowing down options.

Matt also commented that one of the SAC's previously recommended DEIS preferred alternatives, termed "#5A," had not been reviewed favorably by NOAA/NOS General Counsel attorneys. He reported that the problem with this option has been that it appears to be incompatible with the designation guidelines put forth in the National Marine Sanctuary Act (NMSA). In response to a question from Dan Secord, Matt explained that the specific area of incompatibility arises from the idea of proposing a sanctuary boundary change for the sole purpose of adding a chemical munitions dumping area. In response to a question from Robert Duncan about what the impact of this situation would be, Matt assured the SAC that while it now appears unlikely that option "5A" would be analyzed as a separate alternative within the DEIS, he will continue to acknowledge that the SAC's advice was supportive of this idea. Matt stated that the record will always reflect that both option 5A and option 2 were suggested by the SAC.

Drew asked if option 5 would be analyzed in the DEIS, and Matt indicated that this would be the case. Linda Krop clarified that the SAC had made a recommendation on the "preferred alternative", not the "environmentally preferred alternative." Dan Secord commented that he felt the outcome of the SAC meeting at which the Council made these recommendations may have changed a bit if the SAC had known option "5A" was going to be considered incompatible with the NMSA. Matt Pickett responded that because the "5A" option was created/suggested by the Council at the very end of the meeting, there was insufficient time remaining for the NOS General Counsel representative present to make that determination at the meeting.

Craig Fusaro stated that perhaps in the future if the SAC is involved with making a recommendation of this stature, the group should think through a process for doing so beforehand. Craig Fusaro then asked Matt Pickett if all of the options presented to the SAC would be analyzed in the DEIS, and Matt responded in the affirmative.

Channel Islands National Park Rat Eradication Project

Matt reported that CINMS is reviewing and drafting comments on a proposed Channel Islands National Park Rat Eradication project for Anacapa Island, and asked Gary Davis if he could summarize the project for the Council.

Gary stated that the Park has been trying to get rid of rats on Anacapa Island for over 20 years, and after trying many approaches they are down to one last technique, which involves the application of a poison. The Park would like to test the technique in November of this year by applying some of the agent to east Anacapa Island, and if it goes well then in November of 2002 they would disperse the agent on the rest of Anacapa Island.

In response to questions from Dave Long about the amount of the poison to be dispersed and the extent to which it can be detected, Gary explained that out of about 8000 pounds of material to be distributed across the Island, but possibly only 25 grams are active ingredient. Gary also stated that the Park is interested in determining if the active ingredient will be present in rain runoff, and if so what concentrations is it reaching the ocean. Gary also explained that the poison does not appear to affect other non-mamalian animals, and that steps will be taken to protect the native deer mice by relocating and reintroducing populations.

Other News and Events

Matt reported that during the first week of October CINMS will be hosting a VIP visit from a high level MPA manager from South Africa. Matt asked Council members to contact Mike Murray if they would like to meet this visitor.

Concerning research projects, Matt reported that Sarah Fangman is out on the R/V Ballena around Anacapa and Santa Cruz Islands assisting with UCSB's PISCO (Partnership for Interdisciplinary Studies of Coastal Oceans) project.

Matt announced that Dr. Michael Domier has been tracking giant sea bass around Anacapa Island, and on October 3rd at 2:00 pm he will be giving a presentation on his work at the Channel Islands National Park Headquarters.

Regarding the new CINMS Southern Office at the Channel Islands Harbor in Oxnard, Matt announced that the office will be officially opening on October 1st, and that Julie Goodson will be staffing the office as Education Coordinator.

Matt reminded the SAC that on coming weekend (September 23-24) the CINMS 20th anniversary celebration will take place at the Santa Barbara Maritime Museum, and that all SAC members should have received an invitation to the evening event on September 23.

Matt reported that the first phase of the shipwreck exhibit at the Santa Barbara Maritime Museum has been installed. He also noted that Bob Schwemmer, CINMS Cultural Resources Coordinator, is currently visiting the Olympic Coast National Marine Sanctuary to assist with a shipwreck survey.

Concerning staffing updates, Matt reported that on October 1st Julie Goodson will start a full-time permanent position as Education Coordinator for the CINMS southern office, while Laura Francis, returning from a two year detail assignment, will resume her position in Santa Barbara as Education Coordinator. Matt also informed the SAC that Shauna Bingham has been hired on as a full time employee as Education and Outreach Specialist.

3. Council Member Announcements

Brian Baird reported that the Governor recently signed the Marine Managed Area Improvement Act. Brian also announced that on November 8-9 in Santa Barbara, the California Biodiversity Council will meet and, during one session, will feature a panel discussion on the Channel Islands marine reserves process. The marine reserve process will be used as a case study, and panelists will also be asked to discuss how this process related to other state and local efforts. Brian also reported that the Conservation and Reinvestment Act (CARA) is currently headed for the Senate floor, and if it should pass California stands to receive up to \$325 million annually for up to 15 years, \$60 million of which would go to coastal and ocean issues.

Ron Dow reported that the comment period for the Point Mugu Sea Range DEIS has been extended to October 11.

Jorge Gross reported that at a recent meeting of the Pacific Fisheries Management Council as many as 11 new groundfish regulations were proposed, including a possible groundfish reserve that would overlap the Sanctuary.

Dave Long reported that there many upcoming educational events, many of which are being coordinated by Julie Goodson of CINMS and MERA, and interested SAC members should review these events as listed in the Manager's Report.

Gary Davis commented that an ad hoc group has been formed to work on white abalone restoration. Participants include the National Park Service, UC Scripps, NMFS, USGS, and CDFG. Gary reported that the group has been working on raising money for a restoration program, and has thus far raised \$70,000 this year and may obtain another \$100,000 for next year. Gary also reported that, per the directives of the President's Executive Order on Marine Protected Areas (MPAs), an MPA Center is going to be developed at UC Santa Cruz. Also, nominations for the Federal Advisory Committee on MPAs are due by October 2nd.

Larry Manson reported that the BEACH Bill (formerly HR 99) is now working its way through the Senate.

The Council also took this time to discuss a procedural matter concerning Public At-Large alternates filling in for absent Public At-Large members. Craig Fusaro explained that in the event that a Public At-Large member is absent, and if the assigned alternate is also absent, the

procedural question at hand is how to decide which of the other two Public At-Large alternates could take that member's seat. After discussion, clarifications, and various suggestions from Council members, Craig suggested that the SAC handle this situation as follows: **If a Public At-Large member knows that they are not going to be able to attend a future meeting, and that their assigned alternate also will be absent, then it is up to that Public At-Large member to make arrangements beforehand to have the seat filled by one of the other two Public At-Large alternates. By general acclaim, the SAC accepted this suggestion.**

4. Working Group Reports and Agency Announcements

A. Marine Reserves Working Group

Sean Hastings, CINMS Resource Protection Specialist, provided an update on the activities of the Marine Reserves Working Group and the Marine Reserves Science Panel. Sean noted that the group is still working on finalizing goals and objectives, and that they would soon (September 26-27) hear from the Science Panel concerning a recommendation for reserve design. The Socio-Economic Panel will also present their data findings to the MRWG on September 26. To assist the MRWG, a GIS-based decision support tool has been developed by CINMS and NOAA's Coastal Services Center and Special Projects Office. This tool will be utilized by the MRWG on September 27 as the group begins to craft reserve scenario options.

Brian Baird asked if there had been consideration of how the MRWG's reserve proposal could be integrated with the potential groundfish reserve mentioned earlier in the meeting. Sean responded that this is a very important issue, and that the MRWG is concerned about and staying informed on all such related regulatory issues. Sean also mentioned that should reserve implementation be considered as a result of the marine reserves process, then there will be some important policy integration work to be done.

Jorge Gross reported that the MRWG's law enforcement subcommittee has met and developed a draft Memorandum of Understanding (MOU) for an enforcement plan, and that they will be distributing this work to the MRWG.

Craig Fusaro mentioned that the MRWG's public outreach subcommittee had also met since the last MRWG meeting. The subcommittee's original plan to have a public town hall meeting on the evening of September 26 has been changed, and the expectation is now that such a meeting will be held mid-way between the September MRWG meeting (Sept. 26-27) and the next MRWG meeting (October 18). The envisioned format for the public town hall forum would be structured with a primary emphasis on providing the public with ample time to ask questions and make comments about the marine reserves process.

Matt Pickett stated that he was excited about the upcoming MRWG meeting, and hopeful that once the group sits down to work with maps and reserve design they will find that there is more common ground to build on than expected.

A member of the audience asked what the timing is for delivery of a marine reserve recommendation to the SAC. Sean Hastings responded that while the schedule has not been firm

throughout the process, it is conceivable that the MRWG could deliver a recommendation to the SAC in January 2001.

In response to questions from a member of the audience about whether or not there will be more public forums, and if MRWG meetings are open to the public, Craig Fusaro stated that the MRWG would like to engage the public as much as possible. Craig also commented that all of the MRWG meetings are open to the public, and that any member of the public can express concerns and questions through MRWG members to get their views into the process. Additionally, Craig described the next town hall meeting as providing an opportunity for the public to directly ask questions of MRWG members. Craig also mentioned that MRWG members are always individually available to receive comments from the public.

Drew Mayerson asked what the SAC will do with the MRWG recommendation, how long it might take the SAC to deal with it, and how the outcome will be integrated with the sanctuary management plan. Matt Pickett responded by commenting that it is his hope that the Council can vote the MRWG recommendation up or down in one meeting. Matt went on to express that he hopes the SAC would not second guess work coming from a working group the SAC empowered for this task and which will have possibly spent a year-and-a-half building consensus on the issue. Sean Hastings explained that development and release of the CINMS management plan will not be held up by the marine reserves process, but instead may include a placeholder section within it for addressing zoning with the sanctuary at a future time. Sean explained that at the Florida Keys National Marine Sanctuary, where they were dealing with a process to consider establishment of an ecological reserves at the Dry Tortugas while simultaneously working to develop a sanctuary management plan, they created a placeholder section in the management plan for addressing the reserve issue. Then, subsequent to adoption of the management plan, a supplemental EIS process was utilized to support designation of the Tortugas Ecological Reserve.

5. Public Comment Period

Bob Sollen stated that he has been following this SAC process for a while now. Bob commented that he was a news reporter back when the CINMS was designated. Bob said he was dismayed that at the last SAC meeting, despite extensive public support expressed throughout the management plan scoping process, there was so little support shown by the SAC's vote for the idea of sanctuary boundary expansion. Bob spoke of concerns he is aware of in the community about how adequately the Council is representing the public interest. Bob stated that it is the feeling of many that public interests seem to be vastly unrepresented on the Council. He suggested that the SAC might want to give this problem more attention in the future.

Tristin Harvey, a student staff representative of the Cabrillo High School Aquarium, asked the Council about what is being done about the problems of water quality and polluted runoff, and what he can do to help. Matt Pickett commented on the water quality emphasis CINMS is placing in the education and research programs being developed as part of the management plan process. Dave Long suggested that Julie Goodson at CINMS will have a lot of information about education programs Tristin could get involved with that are focusing on water quality issues. Brian Baird commented that the state of California just adopted a statewide polluted runoff plan that will be administered by the California Coastal Commission and State Water

Resources Control Board. He went on to say that there is a lot going on at the local level with regard to dealing with individual creeks and specific problems within your community, and many opportunities to get involved. He reminded everyone that on November 8th at the California Biodiversity Council meeting in Santa Barbara, 3-4 hours will be devoted to discussing local programs for addressing polluted runoff problems. Craig Fusaro referred Tristan to a number of local non-government programs that are dealing with polluted runoff, including: Santa Barbara's Creek Watchers and the South Coast Watershed Alliance. Craig also described Santa Barbara's Project Clean Water.

Chuck Janisse, representing the Ventura County Commercial Fishermen's Association, reminded the SAC that the marine reserves process interfaces with many others. Concerning the Marine Life Protection Act, Chuck asked how the Channel Islands marine reserves process reconciled with it at a detailed level and expressed that the fishing industry does not want to be put through a marine reserves/closure process twice for the same area. Matt Pickett responded that the Channel Islands marine reserves process is out in front of these other mandates, and that someone has got to go first. By going first, Matt explained, we will be able to answer those important questions about integration of other policies and legislation. Matt also said that the MRWG is well aware of the other processes, keeping up to speed on them, and looking forward to hearing input on these matters to help us deal with integration issues.

Dan Pierson commented that he is concerned that he does not hear from a majority of the SAC a sense of concern and urgency for dealing with what feels like a looming crisis. He expressed concern about the tendency of the SAC to prefer status quo options despite the ecologically dangerous times we are living in. Dan also expressed concern that some of the students at the meeting would likely never see some of the marine life that he saw during his childhood. He urged the SAC and CINMS to make a difference by moving to set up a true sanctuary. He stated that passion about this seems to be lacking on the SAC, but that it would really help. Dan acknowledged that in taking steps to make the sanctuary a true sanctuary, pain would be felt but that action should still be taken. Dan feels that the kids coming up know they will need healthy biodiversity for sustainability. Can urged the CINMS staff to push hard because this is all very important, and the nation and the world is watching. He urged everyone to work to make the sanctuary as big as possible, because by the time our kids grow up and have families of their own, it will seem like it was not enough. He asked the SAC to consider what he learned from a high school math teacher, which is that it is impossible to maximize to for two variables simultaneously. He asked the SAC to do the best they can, keep people's lives in mind, and think of the future. Craig Fusaro thanked Dan for sharing his comments, and commented that some of what he had said speaks to larger concerns and problems associated with population growth and levels. Drew Mayerson suggested that at a future meeting perhaps the SAC should discuss the differing definitions of "sanctuary" and revisit perceptions on what the sanctuary is.

6. Tour of the Cabrillo High School Aquarium

Dave Long explained to the SAC and attending public how the new Aquarium facility will be built-out. Dave then introduced the following individuals:

- Bob Grenard – Community member, designed electronics and technical controls for the Aquarium

- Dave Schroder – Works with the students on planning new projects, such as Conqfish1
- Tristin Harvey – Student supervisor, will manage the student team in charge of Conqfish1
- Tamera Chadwich -- Student supervisor and Nutrition Manager
- Nichole Morales -- Student supervisor and Display Manager, in charge of text and art work
- Eric Good -- Developed and maintains Aquarium web site
- Christy Burrows -- Student supervisor in charge of maintenance

Dave Long and several Student Curators then led the SAC and attending public on an entertaining and educational tour of exhibits at the Aquarium's original site. Students spoke in detail about existing and future exhibits and programs.

After the tour and following the lunch break, Matt Pickett presented an interpretive display wall panel on whales of the sanctuary to Tristin Harvey and Tamera Chadwick (student supervisors of the Aquarium) as a gift from the Sanctuary to the Cabrillo High School Aquarium.

7. Working Group Reports, Continued

B. Conservation Working Group

Greg Helms, filling in for Linda Krop on the activities of the Conservation Working Group (CWG), reported that the group met on September 19th and passed a motion to recommend that CINMS be strongly involved in the review and activities of the proposed 3D seismic survey at the Cavern Point Unit adjacent to the Sanctuary. Greg read the following statement from the Conservation Working Group:

“The Conservation Working Group urges the Sanctuary to assert its full breadth of authority, including permit authority, over seismic surveys such as Cavern Point, on the basis of the potential impacts to Sanctuary resources and the unique characteristics of the Santa Barbara Channel. The CINMS should attempt to identify and evaluate potential harmful impacts, especially in an effort to add non cetacean species' impacts. The CINMS should require an aerial survey to the list of mitigation measures if the project is to be conducted, and should significantly expand the notification process to include the full range of affected Sanctuary users.”

C. Education Working Group/MERA

Dave Long announced that the MERA (Marine Educators Regional Alliance) steering committee will be meeting next on September 25, and the next MERA meeting will be held in October. Dave reported that the Cabrillo High School Aquarium hosted a visit by representatives involved with the National Marine Sanctuary's Visitor Center Feasibility Study, as well as other MERA organizations. As part of the study, various facilities are being evaluated as potential visitor center venues for the National Marine Sanctuary Program.

8. Presentation: High Energy Seismic Survey (HESS) proposal for the Cavern Point Unit

Drew Mayerson of MMS provided the SAC and attending public with a presentation on the proposed 3D seismic survey at the Cavern Point Unit, and the High Energy Seismic Survey (HESS) guidelines and process. If the project is approved by MMS and other agencies, the 3D survey, as proposed, will take place in the Fall of 2001. Many questions and significant discussion followed. No Council recommendations or motions were proposed at this time, as the purpose of the presentation was primarily to inform the SAC about this project and the associated public review process.

9. Discussion: Undersea Cable Projects and Sanctuary Policy

Sean Hastings provided a brief summary of two proposed cable projects within the region. Sean explained that the proposals being put forth by Global Photon and Tycom Global Networks do not currently propose the laying of cable within CINMS boundaries, however they are both within the management plan study area and, thus, CINMS would like the SAC to be aware of these projects. Mike Murray notified the SAC that there is currently consideration being given to development of a National Marine Sanctuary policy on the installation and maintenance of submarine cables in Sanctuaries. A proposed rule in the Federal Register (Vol. 65, No. 164, 8/23/2000) provides the details. Mike informed the SAC that comments on proposed NMSP policy are due by October 23, 2000.

10. Progress Report: Collaborative Marine Research Project

Chuck Janisse of the Ventura County Commercial Fishermens' Association provided a brief review of the Collaborative Marine Research Program, a partnership of local marine scientists, commercial fishers, and regional resource management agencies to conduct research in and around the Sanctuary. Chuck is a member of the planning committee for this emerging pilot program, along with representatives from CINMS, CDFG, NMFS, the scientific community and the fishing industry. Working with agencies and scientists, the project seeks to employ and train fishermen to assist in conducting research within the Sanctuary and adjacent region. Chuck announced that solicitations will soon be made for research proposals.

11. Future meeting dates, locations and agenda topics

A. Meeting Schedules

Based on a show of hands, the Council agreed by general acclaim that the best day for SAC meetings in 2001 would be the second Wednesday of every odd-numbered month. The resulting 2001 meeting schedule that the Council agreed to is as follows:

- January 10, 2001
- March 14, 2001
- May 9, 2001
- July 11, 2001
- September 12, 2001
- November 14, 2001

B. SAC Retreat

The SAC confirmed that there is an interest in holding a Council Retreat. Efforts to find best dates for a return trip to the UC Santa Cruz Island Reserve Station resulted in consideration of two nights between October 26-29. CINMS will check on availability of the Reserve Station and get back to SAC members as soon as possible.

The SAC also discussed possible agendas for the Council Retreat. The result of this discussion was a tentative proposal that the retreat feature the following:

- 1/2-day for discussion of Council progress and future goals/priorities
- 1/2-day for discussion about marine reserves and preparations for the MRWG recommendation
- 1 full day to engage in fun activities.

C. Future Agenda Topics

Given that the SAC Chair position, which is a two-year post, will expire in December of this year, the SAC agreed that the election of SAC Chair should take place at the November 16th meeting in Santa Barbara.

Other future agenda topics proposed by the SAC included:

- Nov. 16 meeting: A 15-minute report on the results of the Biodiversity Council Meeting (Nov. 8-9) by Brian Baird
- Nov. 16 meeting: A significant block of time for a marine reserves process update and SAC preparation for the upcoming MRWG recommendation
- More involvement in review and understanding of the draft Management Plan's program areas (education, outreach, research, resource protection)
- Acoustics in the ocean -- understanding sound in the sea and the latest findings on impacts (suggested by Linda Krop)
- Development of Council advice to CINMS and the NMSP on lessons learned from involvement of the SAC in the management plan revision process (suggested by Matt Pickett) the SAC should discuss the differing definitions of "sanctuary" and revisit perceptions on what the sanctuary is.
- Discussion of the meaning of "sanctuary" and an opportunity to revisit the SAC's understanding of what the sanctuary is (suggested by Drew Mayerson)

The meeting adjourned at 3:30 p.m.

Meeting summary respectfully submitted by:

Michael Murray
Channel Islands National Marine Sanctuary